

10/15/24

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DEPUTY CLERK

OCT 16 2024

I am filing a \$2,000,000 lawsuit against The Harrisburg School District for violating my son's Human Rights as a disabled person. I also would like them to pay the court any applicable court fees.

I have a 10 year old Autistic son, Derek Chism II. that started going to Harrisburg School District in April of 2024. Although I'm from Harrisburg, PA. I moved out of state when my son was released from Hershey's NICU. I recently moved back after a divorce March 1, 2023. My son started Ben Franklin school in April 2023. All his records were sent to Harrisburg School District, Advising them of all his services he was receiving at school in Maryland. It is now October 2024 and has still never received speech or occupation therapy. I have asked the Special Education Supervisor, Shawn Tuttle about this since last year and this year. There's always some type of excuse. My son had every therapy available to him in Maryland.

My son's teacher when he started was awesome, but she left the District Derek's last month of school in 2023. In August of 2023, he had a teacher Mr. Harris who tried to have my child suspended his first month of school for saying a girl was "sexy". He never called me as his mother, he went to the assistant principal to have my son suspended. If you know Autistic kids, they do not usually form their own sentences, they repeat phrases and things he hears on TV. My son has never had any of these issues with his last teacher. I went to the principal and asked him why I was never contacted for a first time offense and why was my son being threatened with suspension. He advised me that Mr. Harris was very "soft-spoken" and was "afraid" to contact me. I said, "Why would he be afraid to contact me? Why would he be an Autism teacher if he's afraid to speak with parents?" He told me he would talk to Mr. Harris and have him call me. When I finally talked to this man. He said, "I don't want Derek talking to girls inappropriately." I said, "I agree, he could have used a better choice of word and I will speak to Derek." The next month CPS was called on me because Mr. Harris said my daughter touched my son inappropriately. Then not even 2 weeks later, the CPS worker said they got another complaint saying my son said he was hit with a belt. My son came home and told me Mr. Harris pulled him to the side and was asking him questions about has he been hit with a belt before. I believe all this was done in retaliation for me going to the principle about him. I wrote a complaint to the Harrisburg School District Superintendent. We had a Zoom meeting. The only thing that was offered was for my son to switch schools. They only had one special education teacher at Ben Franklin. They do not have the proper number of teachers for their students with disabilities. My son switched to Foose Elementary, which right next to the projects. His new teacher Ms. Baran actually cares about her students.

My next complaint is for the transportation for my son. The Harrisburg School District uses an outside company which is in no way connected to the school district when it comes to complaints. I have contacted Shawn Tuttle more than 10 times regarding this transportation service since Derek came to Harrisburg School District. The first time, the driver pulled off fast because I asked her to come on the right side of the street. My son is not aware of crossing streets or even of his own home address. The drivers would lie and say they came, when were waiting, but never came. I called Ms. Brown about all the issues only to be cussed out and hung up on. When telling Shawn Tuttle, she advised me there's nothing she can do because they're an outside company. Today, was the day that I had enough. I live on a very busy 2-way street where cars come speeding up and down this street in the morning. These drivers should be picking these children up on the side of the street their homes are on. Today, they pulled across this very busy street. We stayed at the door, when the driver looked a sped off mad again, never to return. I took my son to school. Since the beginning of school this year, his van that picks him up door does not stay open. I live on a street that's like a hill. My frail little son is always trying to open this heavy door while 2 grown adults sit there and watch and never helps assist him. I watch the door hit my son in the arm because it won't stay open, while 2 adults sit in that front seat and do nothing. I called and email Shawn Tuttle. She told me that the person sitting in the passenger seat is not a bus assistance and they can't help my son with the door. That was the most asinine thing I have ever heard. What the hell would the person be on the van for if they are not assistants? The crazy thing is they will garnish your wages for school taxes in Harrisburg. You can't even start college in Harrisburg if your school taxes are not paid. The Harrisburg School District manages to get the boy's basketball and football teams proper transportation to games, though. Why should I pay school taxes when my son is being treated like this by this District. They do not care about children with disabilities. I want my son to go to another School District. I want justice for my son.

Thank you, Bianca Bates